



Practitioner's Docket No. MPI2000-540OMNI

*AA*  
**PATENT**

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**COMBINED DECLARATION AND POWER OF ATTORNEY**

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)**

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for a continuation-in-part (C-I-P) application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

**NOVEL GENES ENCODING PROTEINS HAVING PROGNASTIC, DIAGNOSTIC,  
PREVENTIVE, THERAPEUTIC AND OTHER USES**

**SPECIFICATION IDENTIFICATION**

The specification was filed on March 16, 2001, as Serial No. 09/811,088.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

**CLAIM FOR BENEFIT OF U.S. PROVISIONAL APPLICATION(S)**

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<b>PRIOR U.S. PROVISIONAL APPLICATIONS FOR BENEFIT UNDER 35 U.S.C. SECTION 119(e):</b>				
U.S. PROVISIONAL APPLICATIONS			Status	
U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
1.				X

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)  
UNDER 35 U.S.C. SECTION 120**

I hereby claim the benefit, under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

<b>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. SECTION 120:</b>				
U.S. APPLICATIONS			Status	
U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
1. 09/712,726	14 Nov 2000		X	
2. 08/820,364	12 Mar 1997			X
3. 09/757,421	10 Jan 2001		X	
4. 08/843,652	16 April 1997			X
5. 08/843,651	16 April 1997		X	
6. 09/354,809	16 July 1999		X	
7. 08/938,365	26 Sept 1997	X		

## POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Scott A. Brown	32,724
Susan M. Perkins	36,405
Jean M. Silveri	39,030
George C. Jen	39,239
Theodore Allen	41,578
Jill E. Uhl	43,213
Kerri Pollard Schray	47,066

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## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Douglas A. Holtzman

**Inventor's signature** x Douglas Holtzman

**Date** x 6/15/01

**Residence** Jamaica Plain, MA

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**Country of Citizenship** United States of America

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David P. Gearing

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Yang Pan

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**SIGNATURE(S)**

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**Inventor's signature** \_\_\_\_\_

**Date** \_\_\_\_\_

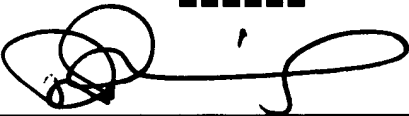
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